

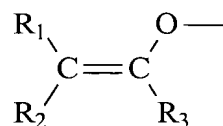
REMARKS

In the Official Action, the Examiner rejected claims 15, 17 and 18 under the second paragraph of 35 U.S.C. §112 for containing the term "type" with respect to several compounds. In addition, the Examiner rejected all of the claims under 35 U.S.C. §103(a) over Kondo, U.S. Patent No. 5,658,708. In this respect, the Examiner maintained that the enol ether compound having two or more ethylenically unsaturated groups met the recited "radical-polymerizing compound" of the claims of the present application.

By the present Amendment, minor revisions have been made throughout the specification, claims 15, 17 and 18 have been amended to remove the term "type" without altering the substance thereof and claims 1 and 2 have been revised to recite that the radical-polymerizing compound is selected from the group consisting of an unsaturated carboxylic acid, an ester of an unsaturated carboxylic acid, and an amide of an unsaturated carboxylic acid (which is supported by the specification, such as in the paragraph bridging pages 23 and 24 of the specification). Finally, new claims 23 and 24 have been added to encompass additional aspects of the invention supported by the specification such as on page 24, lines 3-5 and on pages 25-26. As may be seen from the illustrative Examples starting on page 63, by following the teachings of the present invention, one can obtain a negative image-recording material that can provide good durability while avoiding stains in the non-image areas.

Kondo does not disclose or suggest the invention defined in the claims now of record. The patent relates to an image recording material comprising a radiant ray-

absorbing material, a compound having at least two enol ether groups represented by formula (I) and an alkali-soluble resin. Formula (I) is as follows:



wherein R₁, R₂ and R₃ maybe the same or different with each representing a hydrogen atom, an alkyl group or an aryl group, or any two of them forming a saturated or unsaturated olefinic ring by combining with each other.

As noted in the passage beginning at column 3, line 7, a further embodiment of the patent involves an acid precursor is used to form a cation polymerizable liquid composition. The acid precursors are described in greater detail in the passage beginning at column 19, line 47 and include photoinitiators for photocationic polymerization, photoinitiators for photoradical polymerization, photodecolorization agents for dyes, photodiscoloring agents, known compounds capable of generating acids through pyrolysis and mixtures thereof. Included within the specific acid precursors are both onium salts and non-onium compounds.

The image recording material of Kondo would not lead to the invention defined in the claims of record. By requiring the presence of the defined compound having at least two enol ether groups, one would not arrive at the present invention wherein a radical-polymerizing compound is selected from the group consisting of an unsaturated carboxylic acid, an ester of an unsaturated carboxylic acid, and an amide of an unsaturated carboxylic acid. In this respect, each of these defined compounds contains a vinyl carbonyl group which is chemically different from a vinyl ether group as required in Kondo. Moreover,

Kondo would not necessarily lead to radical polymerization (i.e., a chain reaction) as is evident by the description of cationic polymerization as set forth in the paragraph beginning at column 5, line 16.

Since Kondo does not disclose or suggest the presently claimed invention including the specific type of radical-polymerizing compound recited in the claims now of record, and it would not be obvious to change to such compounds in view of the defined enol compounds set forth in the patent, applicants respectfully submit that the present invention is patentable in all respects and therefore request reconsideration and allowance of the present application.¹

Should the Examiner wish to discuss any aspect of the present application, he is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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¹Applicants also note that while the Examiner returned the citation form submitted in the Information Disclosure Statement filed on January 30, 2002, the Examiner did not provide the initials thereon. Therefore, the Examiner is respectfully requested to initial the form and provide it with the next Official Action.